

Council/Agency Meeting Held: _____	City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date:                      May 2, 2005	Department ID Number:              PL 05-15

## CITY OF HUNTINGTON BEACH REQUEST FOR COUNCIL ACTION

**SUBMITTED TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**SUBMITTED BY:** *Penelope Culbreth Graft*  
PENELOPE CULBRETH-GRAFT, City Administrator

**PREPARED BY:** HOWARD ZELEFSKY, Planning Director

JIM ENGLE, Community Services Director

**SUBJECT:** *Approve Surplus School Property Purchasing Plan*

RECEIVED  
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CITY OF  
HUNTINGTON BEACH, CA  
2005 APR 21 PM 2:21

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

### Statement of Issue:

The disposal of surplus school property that qualifies as park or recreational open space is regulated by the Naylor Act. This Act gives the City first priority to acquire a surplus school site but requires the City to adopt a Surplus School Property Purchasing Plan prior to such acquisition. This report transmits a Surplus School Property Purchasing Plan for the City of Huntington Beach for City Council consideration.

**Funding Source:** Not applicable.

### Recommended Action:

Motion to:

1. "Approve the Surplus School Property Purchasing Plan (ATTACHMENT NO. 1)", and
2. "Direct staff to update the Surplus School Property Purchasing Plan as additional school sites are surplus for City Council approval."

### Alternative Action:

The City Council may make the following alternative motion:

"Continue the Surplus School Property Purchasing Plan and direct staff accordingly."

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## REQUEST FOR COUNCIL ACTION

MEETING DATE: May 2, 2005

DEPARTMENT ID NUMBER: PL 05-15

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### Analysis:

The disposal of surplus school property that qualifies as park or recreational open space is regulated by the Naylor Act. This Act gives the City first priority to acquire a surplus school site but requires the City to adopt a Surplus School Property Purchasing Plan prior to such acquisition. The purpose of the attached plan is to fulfill this Naylor Act requirement.

There are 14 closed school sites in the City of Huntington Beach at this time. Two of these sites have been surplused. The Surplus School Property Purchasing Plan considers the existing open space and recreational opportunities at all 14 sites in the context of the open space needs of the community. The Plan provides background data and analysis for the closed school sites, including the open space needs of the community within the vicinity of each closed school, the youth sports that are allocated to each site and adjacent parkland.

The Plan identifies a range of acquisition options for the City of Huntington Beach and includes a recommendation for priority acquisitions for sites that are currently surplused. Approval of the Plan does not require that the City acquire any of the school sites. Staff recommends that the City Council approve the Surplus School Property Purchasing Plan because it provides a comprehensive review of the closed school sites and fulfills Naylor Act requirements.

### Environmental Status:

The subject request is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3).

### Attachment(s):

City Clerk's Page Number
3

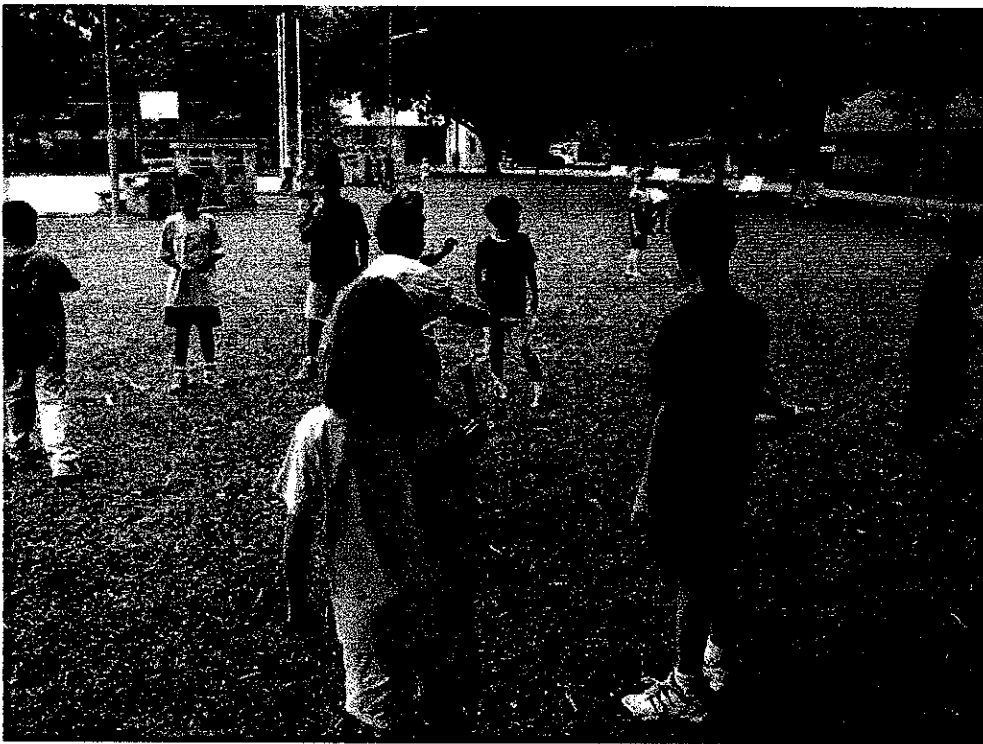
1. Surplus School Property Purchasing Plan

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# ATTACHMENT 1

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***DRAFT***  
**SURPLUS SCHOOL PROPERTY  
PURCHASING PLAN  
FOR THE  
CITY OF HUNTINGTON BEACH**



**May 2, 2005**

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## LEGISLATIVE AUTHORITY

The disposition of surplus property owned by any public entity in California is governed by the surplus property statutes codified in Government Code Sections 54220, et seq. The Education Code provides supplemental regulations that govern the disposition of surplus school sites. (Education Code Sections 17230, et seq., 17385, et seq.) In addition, the disposal of surplus school property that also qualifies as park or recreational open space is regulated by the Naylor Act, which is codified in Education Code Sections 17485, et seq.

The net effect of the Naylor Act is to make certain surplus school property available to a city at less than fair market value. The Naylor Act only applies to parcels of land owned by school district to which the following conditions exist:

- (a) Either the whole or a portion of the school site consists of land, which is used for school playground, playing field, or other outdoor recreational purposes, and open-space land particularly suited for recreational purposes;
- (b) The land described in (a) has been used for one or more of the purposes specified therein for at least eight years immediately preceding the date of the governing board's determination to sell the school site;
- (c) No other available public-owned land in the vicinity of the school site is adequate to meet the existing and foreseeable needs of the community for playground, playing field, or other outdoor recreational and open-space purposes. (Education Code Sections 17486, 17487.)

Once a school district decides to sell or lease a school site containing property subject to the Naylor Act, the disposition must be in accordance with the procedures set forth in the Act.<sup>1</sup> The City of Huntington Beach is given first priority to any surplus school sites located within the city. Within sixty days after receiving notice from the school district, the City must provide written notification of the City's intent to purchase the surplus property. If the City chooses to purchase property from the school district, the City Council shall first make a finding, approved by a vote of two-thirds of its members, that public lands within the vicinity of the school site are inadequate to meet the existing and foreseeable needs of the community for playground, playing field, or other outdoor recreational and open space purposes. (Education Code Section 17492.)

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<sup>1</sup> A school district may exempt up to two surplus sites under certain specified circumstances. (Education Code §17497.) Also, the Act permits the governing board of the school district to choose to retain any part of a school site containing structures or buildings, together with such land adjacent thereto as the governing board determines must be included in order to avoid reducing the value of that part of the school site containing the structures or buildings to less than 50% of the fair market value. (Education Code §17490.)

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Education Code Section 17493 requires that the City must have adopted a plan for the purchase of surplus school property. Moreover, it specifies that public agencies are restricted to acquiring no more than 30 percent of surplus sites under the Naylor Act. Section 17493 is set forth below:

(a) No public agency may purchase surplus school property from a school district pursuant to this article unless it has first adopted a plan for the purchase of surplus school property. The plan shall designate the surplus site or sites all or a portion of which the public agency desires to purchase at the price established pursuant to this article and shall designate at least 70 percent of the total surplus school acreage as property which the agency does not desire to purchase at the price established pursuant to this article. Where the plan indicates that the agency desires to purchase only a portion of a school site at the price established pursuant to this article, it shall designate the percent of the property to be so purchased and provide a description of the general location of the property to be purchased, without designating the metes and bounds.

The purpose of this Surplus School Property Purchasing Plan is to fulfill the requirement of Education Code Section 17493.

#### **APPROACH**

The City of Huntington Beach is served by four elementary school districts and one high school district. Each of the elementary school districts owns one or more closed school sites, for a combined total of 14 closed school sites. Of this total, two have been declared surplus. It is the City's understanding that additional sites may be surplus in the next year.

The mandate of the State Education Code is to prepare a plan for acquisition of surplus school sites. However, given that the number of sites that have surplus status will likely increase in the next year, this Surplus School Property Purchasing Plan ("Plan") evaluates all 14 closed sites. This approach provides a citywide perspective on the potential loss of open space associated with the sale of school sites. This enables the City to comprehend the long-term and geographic issues relevant to the loss of school sites and provides information to facilitate strategic planning and acquisition decisions. Notwithstanding this approach, recommendations are only provided for sites that have been surplus at this time because of the certainty associated with the current data and conditions pertaining to these sites. To the extent that additional school sites are closed or surplus in the future, this Plan should be updated.

Pursuant to Section 17493, the City is restricted to acquiring no more than 30 percent of the surplus school sites using Naylor Act provisions. The regulations do not specify if the 30 percent applies to property owned by each District or to all surplus sites within a city's jurisdiction. Staff believes the intent of the legislation is to allow each district to capture 70 percent market value and that it did not anticipate the Huntington Beach



scenario, in which a city is served by four elementary school districts. In other words, if the City did not take the by-the-district approach and chose to acquire all of its Naylor Act sites from one district, that district could be significantly affected financially and would likely not achieve the 70 percent market value intended by state law. Therefore, although citywide analysis is included, the primary approach is on a district basis.

## OVERVIEW OF CLOSED SCHOOLS

The majority of the 14 closed school sites have not been used by the school districts for public education for many years. Most of them have well established alternative uses. In some cases, the districts have entered into long-term leases for use by other schools. When on-site open space is available, youth sports are allocated, or assigned, by the City to use the fields. The following table provides basic information regarding the school sites, by district, that was used in the analysis to support the Surplus School Property Purchasing Plan, including 2004/2005 youth sports allocation data. The table also indicates if the City has any park land adjacent to the school sites. Figures 1-4 depict the geographic area served by each district in the city.

**Table 1**  
**Summary Data for Closed Schools**

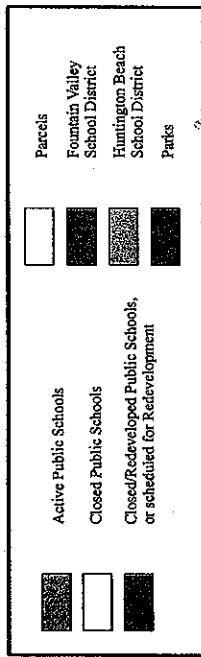
DISTRICT/ CLOSED SCHOOL	USE	SCHOOL TOTAL ACRES	SCHOOL OPEN SPACE ACRES	CITY PARK ACRES	Field Allocations At School Site
<b>Fountain Valley School District</b>					
Lamb	Dist. Off.	14.26	7.5	2.0	Soccer
Wardlow	HB Valley Boys & Girls Club	14.36	10.0	2.3	Baseball Soccer
<b>Huntington Beach City School District</b>					
Burke	Huntington Christian	7.72	5.0	2.5	Baseball, Soccer
Kettler <sup>1</sup>	HB City	9.8	4.5	—	Softball Soccer City Flag Football
LeBard	Dist. Off	10.16	5.8	5	Baseball
Gisler	Brethren Christian High	14.1	7.8	10.5	Baseball, Soccer
<b>Ocean View School District</b>					
Glen View	The Learning Center Day Care	10.42	6.6	3.0	Baseball Soccer
Haven View	Grace Lutheran	10.58	5.8	3.0	Baseball, Soccer
Lark View/ Nueva View	Dist. Off/Education Center	15.09	5.2	3.0	Soccer
Meadow View	Daycare/Priv. School	13.53	7.2	—	Soccer
Park View	HB Adult School/Coast High	11.98	5.2	—	Baseball Soccer, YMCA
Pleasant View	School District Special Educ.	8.61	5.3	2.0	Soccer Field Hockey
Robinwood	Coastline Comm. College <sup>2</sup>	9.27	4.0	2.0	Soccer
<b>Westminster School District</b>					
Franklin	T. Fisher Head Start Prog.	6.78	3.0	2.0	None

<sup>1</sup>Will closed at end of school year.

<sup>2</sup>Coastline Community College has notified the District they will vacate site in 2006.

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# Fountain Valley School District City of Huntington Beach



Information Services Department



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April 2005

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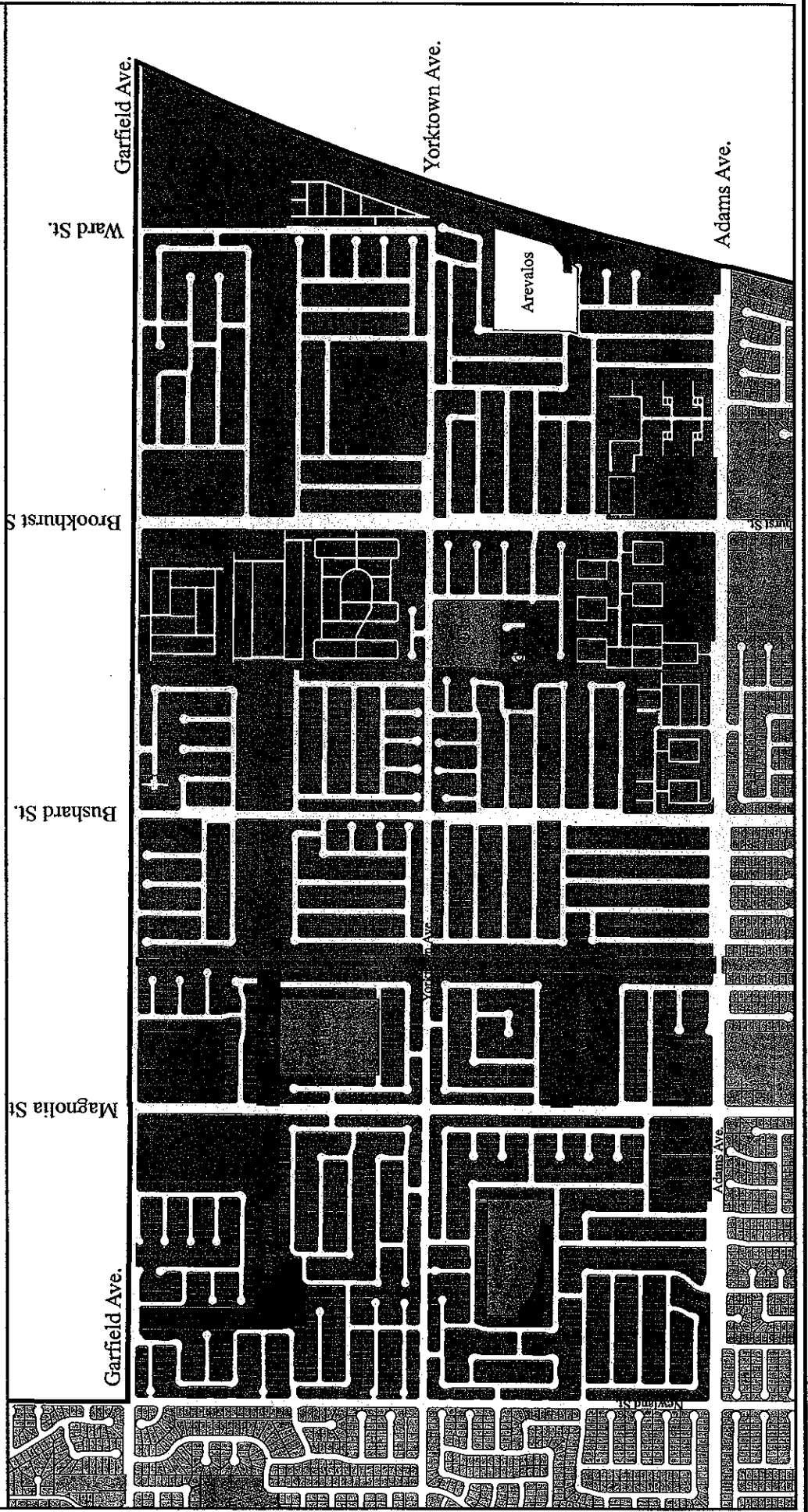


FIGURE 1

# Huntington Beach School District *City of Huntington Beach*

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HB GIS  
April 2005

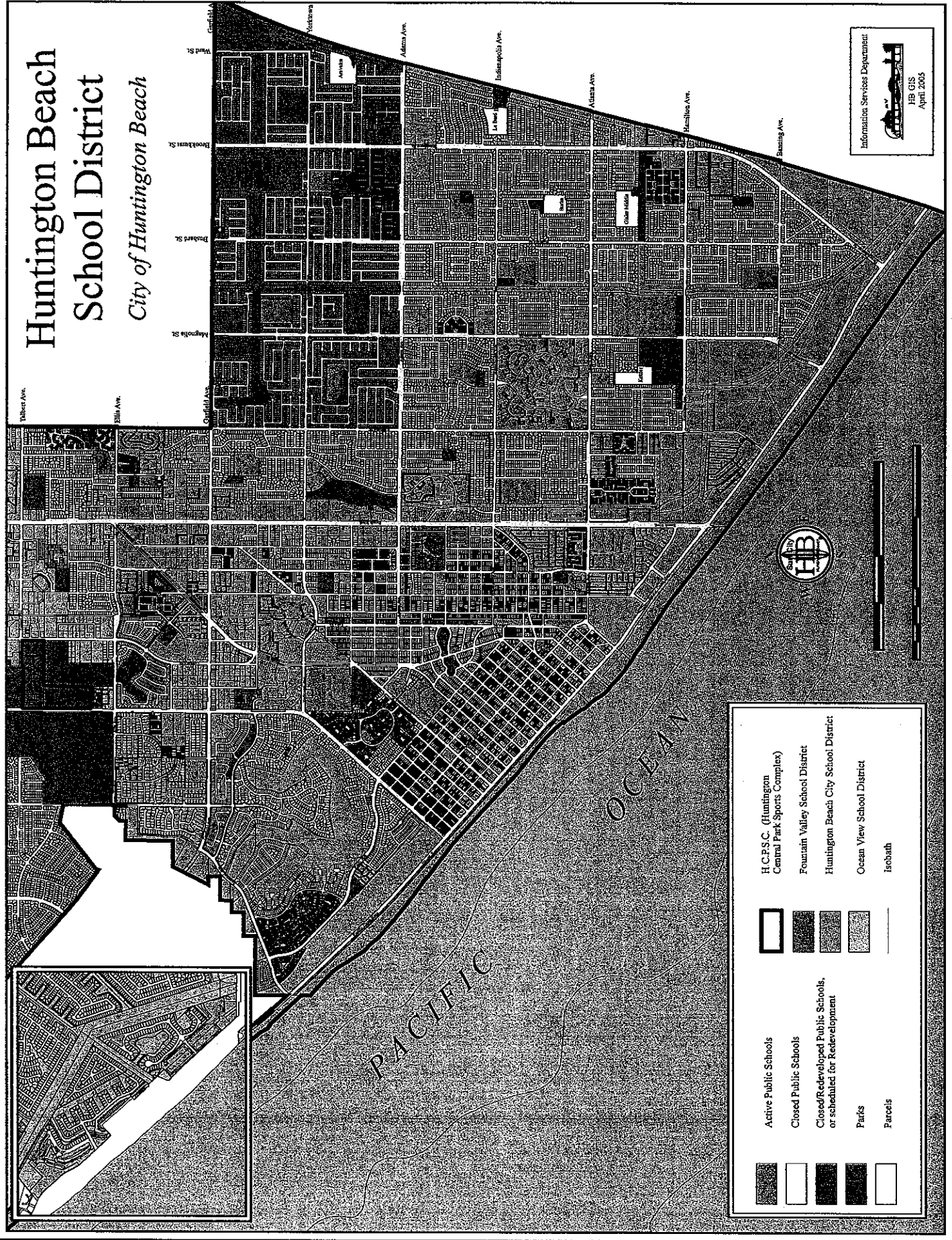


FIGURE 2

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# Ocean View School District

## City of Huntington Beach

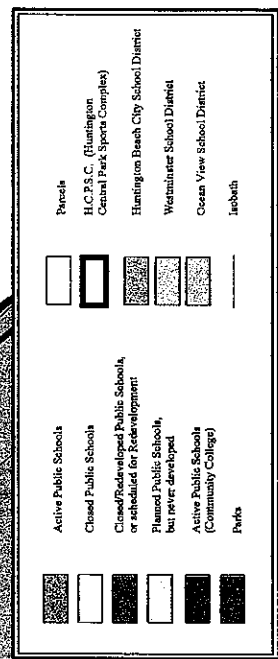
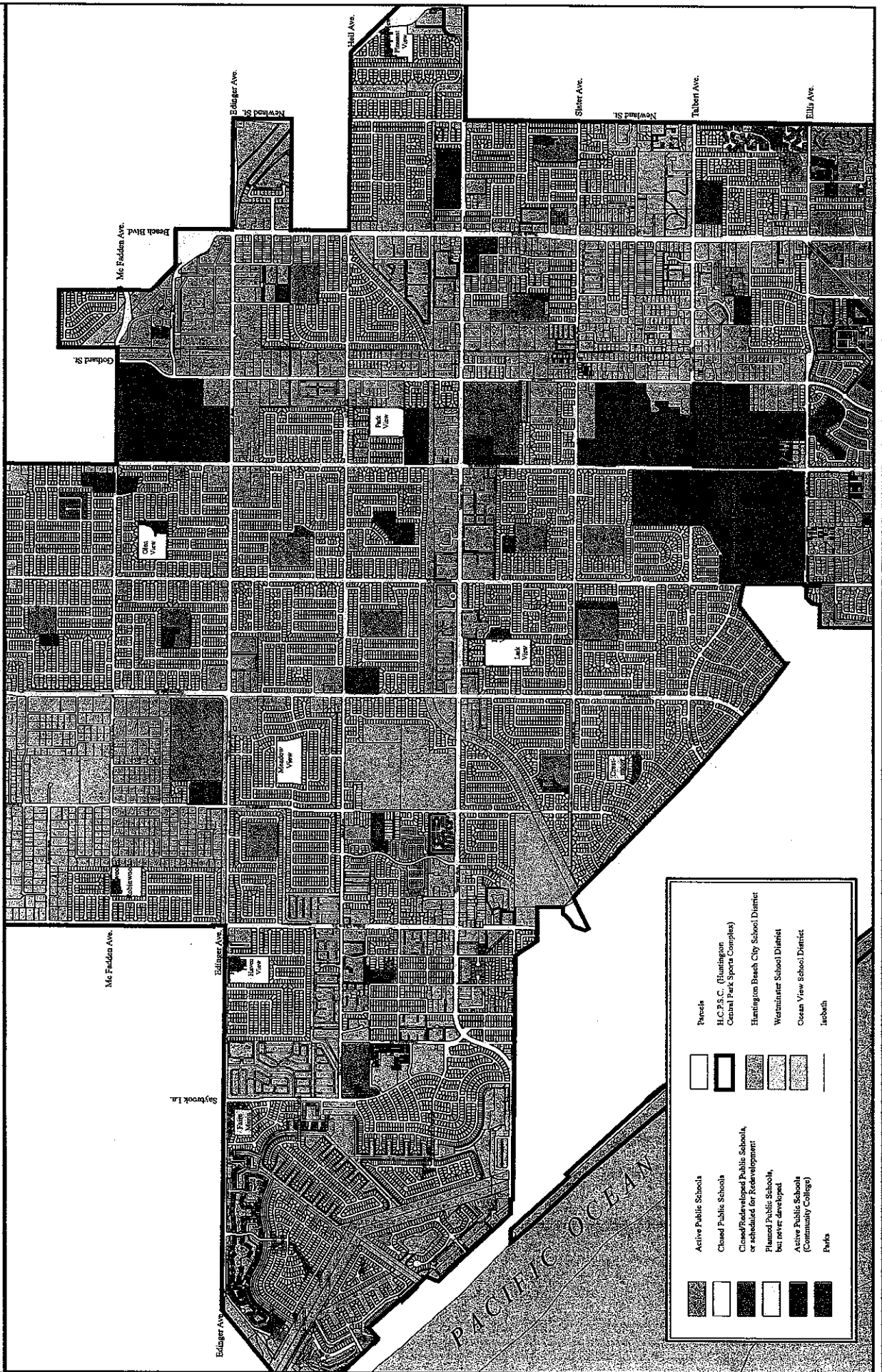
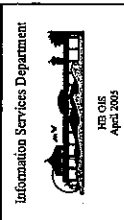


FIGURE 3



# Westminster School District City of Huntington Beach

Information Services Department



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April 2005

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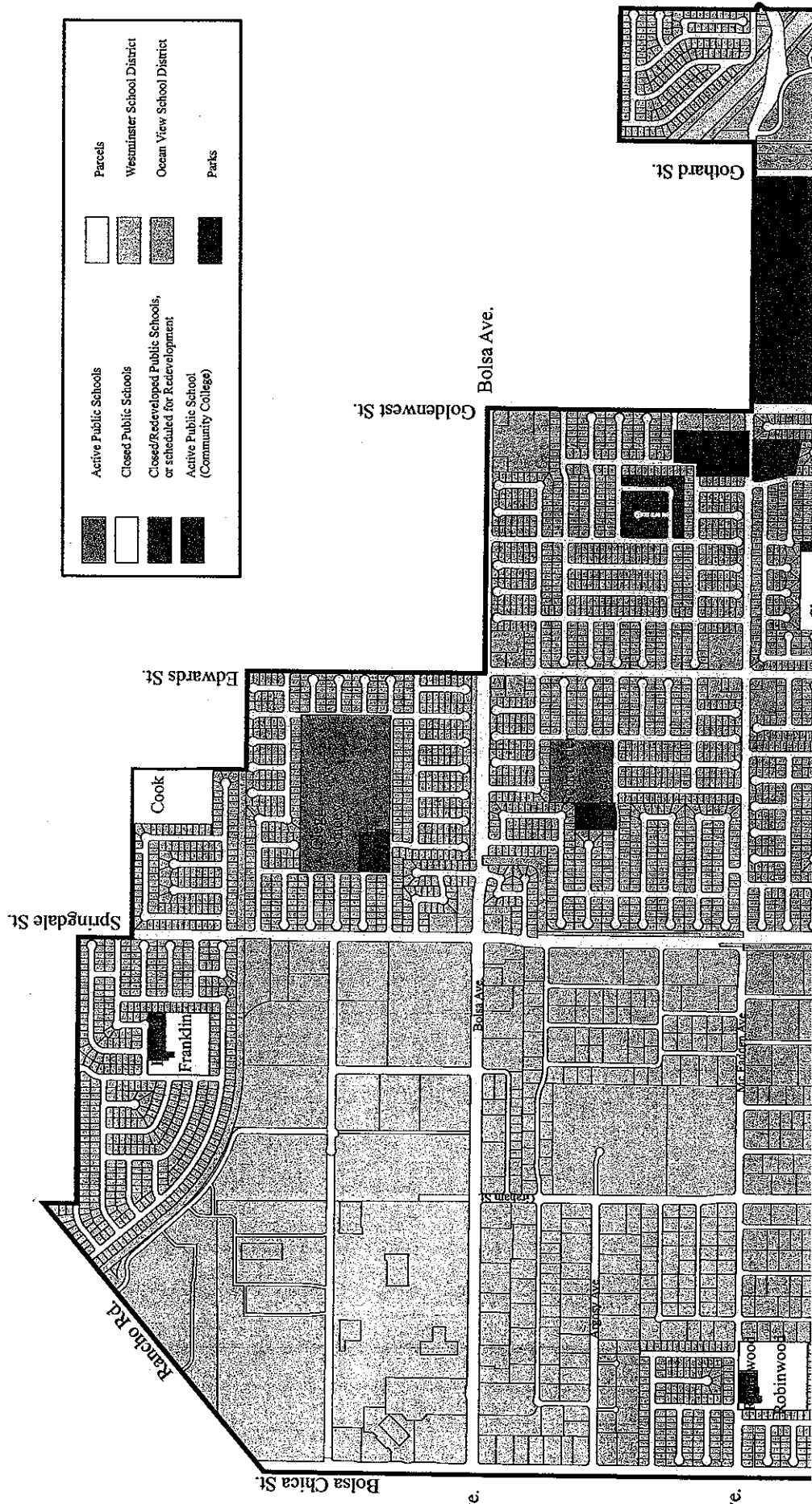
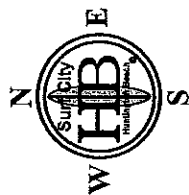


FIGURE 4

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## ANALYSIS

Open Space Considerations

Closed school sites are important to the fabric of the community because of the open space that they provide, as well as the services that a lessee offers. The Naylor Act exists to allow a city to preserve property for outdoor recreational and open space purposes. Accordingly, the City's approach in developing this Plan was to evaluate the open space condition for each *subarea* served by the closed school site.

In 1999, the City completed a Community Sport Facilities Inventory and Needs Assessment that divided the city into 30 subareas, essentially on a quarter section basis with adjustments due to geographical, city boundary or other physical considerations, e.g. major streets. Figure 5 is a map of the subareas. The Needs Assessment tabulated the amount of open space (City and School) available in each subarea and compared it with the General Plan parkland standard of five acres of parkland per 1,000 persons. The Needs Assessment concluded that although the City met this standard overall, there were some subareas that were deficient.

For the purposes of this Surplus School Property Purchasing Plan, data for the subareas with closed school sites were re-tabulated. This effort incorporated 2000 Census data to determine the existing need for parkland within each subarea based on the City standard and a more refined estimation of the usable open space at school sites. The parkland need was compared to available City parkland and School open space that would continue to be available at non-closed school sites. The resulting number indicates how much of an open space surplus or deficit each subarea has. Table 2 presents the results of the analysis, ranking each subarea from greatest to lowest need. Using Subarea 11 as an example, it has a shortage of 16.8 acres of open space and only has 11 percent of the open space needed in this subarea. At the other extreme, the last five subareas have a surplus of open space.

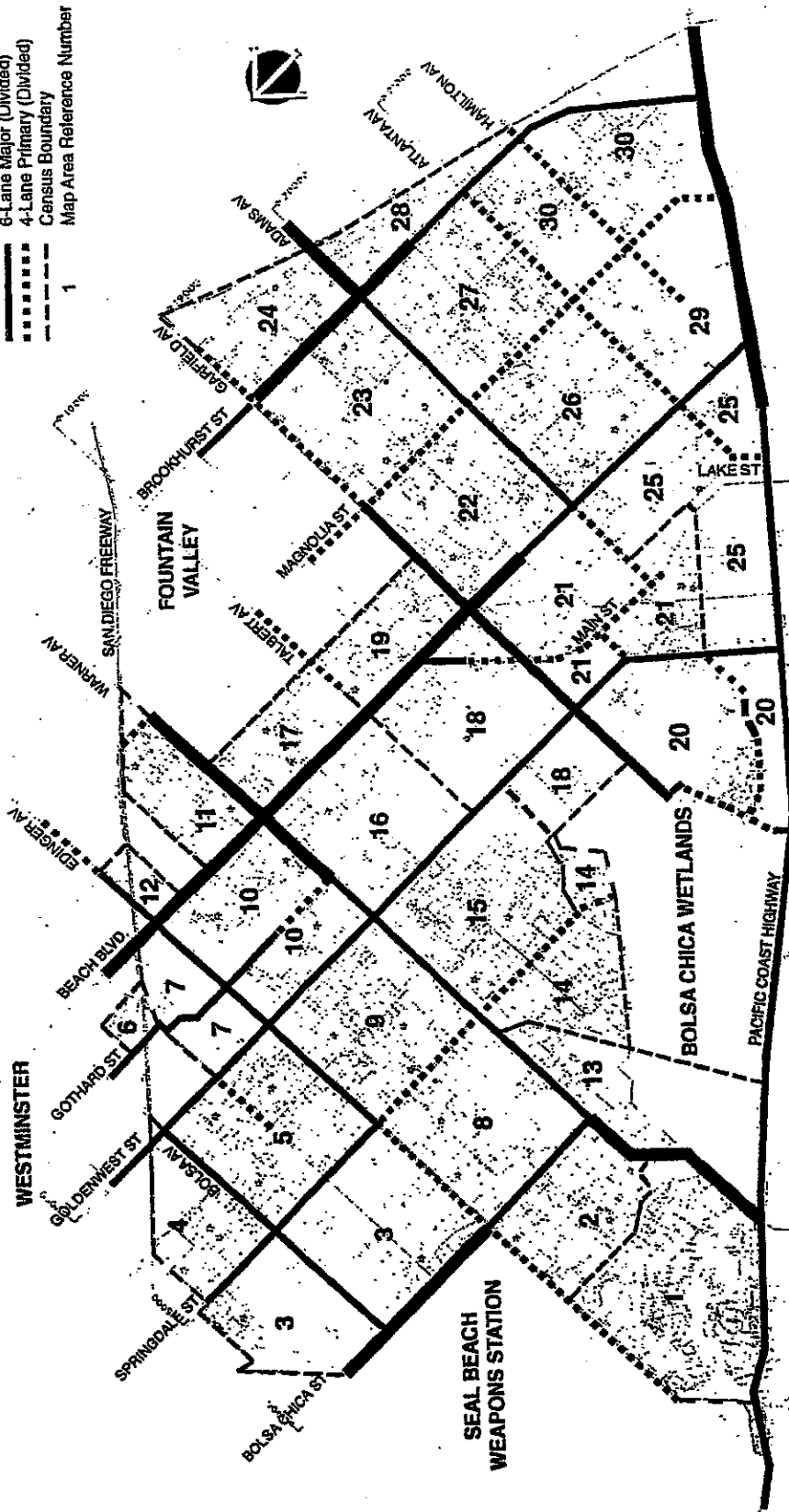
Table 2  
Open Space Needs in Subareas with Closed School Sites  
Ranked from Highest to Lowest Need

	Subarea	Closed School	Open Space Acres Surplus or (Deficit)	Percent of Park Need Satisfied
Open Space Deficit	11	Pleasant View	(16.8)	11%
	24	Lamb	(14.4)	29%
	28	LeBard	(7.2)	41%
	2	Haven View	(14.0)	43%
	23	Wardlow	(24.6)	45%
	27	Burke	(20.7)	46%
	10	Park View	(21.7)	56%
	5	Glen View	(6.6)	82%
Open Space Surplus	30	Gisler	6.0	115%
	3	Robinwood, Franklin	5.6	118%
	29	Kettler	12.9	148%
	15	Lark View	101.6	223%
	8	Meadow View	81.4	287%

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**LEGEND**

- 8-Lane Major (Divided)
- 6-Lane Major (Divided)
- 4-Lane Primary (Divided)
- Census Boundary
- Map Area Reference Number



**PACIFIC OCEAN**

Note: Areas are defined by physical barriers of major highways and primary streets. In addition, population census areas were utilized to define other area boundaries not divided by physical barriers.

**Reference Area Map**

FIGURE 5  
SUBAREA MAP

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Youth Sports Considerations

As indicated in Table 1, all but one of the closed school sites is allocated for use to a sports group. In many cases, more than one sport uses the same site. To facilitate the use of these fields, the City has installed lighting at some locations. To provide a comparison of the closed school sites from the perspective of youth sports considerations, a rating system was employed as follows:

**Sport Allocated**

None = 0

One Sport = 1

Two or More Sports = 2

**Lighted Fields = +1**

The results of this ratings system are presented in Table 3. The school sites are ranked from highest to lowest rating and then alphabetically. Gisler and Haven View both receive the highest ranking because they are each allocated to two sports and have lighted fields. Half of the 14 sites receive a rating of 2. Of these, Lamb is the only site with lighted fields.

**Table 3**  
**Youth Sports Allocation**  
**Ranking of Closed School Sites**

Closed School	Allocation Ranking (3=highest rating)
Gisler	3
Haven View	3
Burke	2
Glen View	2
Kettler	2
Lamb	2
Park View	2
Pleasant View	2
Wardlow	2
Lark View	1
LeBard	1
Meadow View	1
Robinwood	1
Franklin	0

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District Analysis

Table 4 shows the information from Tables 2 and 3 on a district basis. Individual schools are ranked from highest to lowest based on the open space needs of the subarea in which the closed school is located. Using the Ocean View School District as an example, there are four closed schools located within subareas that have a deficit of open space. Of these, Haven View has a high allocation ranking in terms of youth sports.

**Table 4**  
**Closed Schools by District**  
**Ranked from Highest to Lowest Open Space Need**

DISTRICT/ CLOSED SCHOOL	Open Space Acres Surplus or (Deficit)	Percent of Park Need Satisfied (5 ac./1,000 pop.)	Allocation Ranking (3=highest rating)
<b>Fountain Valley School District</b>			
Lamb	(14.4)	29%	2
Wardlow	(24.6)	45%	2
<b>Huntington Beach City School District</b>			
LeBard	(7.2)	41%	1
Burke	(20.7)	46%	2
Gisler	6.0	115%	3
Kettler	12.9	148%	2
<b>Ocean View School District</b>			
Pleasant View	(16.8)	11%	2
Haven View	(14.0)	43%	3
Park View	(21.7)	56%	2
Glen View	(6.6)	82%	2
Robinwood	5.6	118%	1
Lark View	101.6	223%	1
Meadow View	81.4	287%	1
<b>Westminster School District</b>			
Franklin	5.6	118%	0

Using the data from Tables 1 and 4 as well as a site assessment by City staff, the following table demonstrates a range of options with respect to Naylor Act acquisitions by the City of Huntington Beach. Pursuant to the State Education Code, the City may acquire up to 30 percent of a district's acreage using the Naylor Act. Moreover, the City must make a finding that public lands within the vicinity of the site are inadequate to meet the open space needs of the community. Based on the later requirement, the analysis in Table 5 shows various options related to the 30 percent limitation but does not include closed school sites located within subareas that have an open space surplus as acquisition options. These sites are shown in italics.

The options presented indicate that the City has the potential to acquire a significant amount of open space. Option 1 evaluates what sites the City could acquire if it chose to purchase entire sites. In some instances, due to the size of a site and the 30 percent district limitation, the City is not able to consider acquisition of an entire site. This is the case for the sites in the Fountain Valley School District. Option 2 considers

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what acreage the City could acquire if it only purchased the open space portion of the school sites. As shown in the table, the total amount of acreage increases significantly if the City pursued this option because it would be purchasing smaller portions of land. In developing Options 1 and 2, sites are identified for acquisition until the 30 percent limit is reached or would be exceeded by the addition of another site. Option 3 targets the critical open space portion of the closed school sites for acquisition, such as the improved playing fields.

Table 5  
Naylor Act Acquisition Options  
For Closed School Sites by District  
Ranked from Highest to Lowest Open Space Need

DISTRICT/ CLOSED SCHOOL	School Open Space Acres	School Total Acres	Option 1 Acquisition of Entire Site	Option 2 Acquisition of Open Space	Option 3 Acquisition of Critical Open Space
<b>Fountain Valley School District</b>					
Lamb	7.5	14.3	—	7.5	0
Wardlow	10	14.4	—	—	8.6
FV Total	17.5	28.7	—	7.5	8.6
30% of FV Total		8.61			
<b>Huntington Beach City School District</b>					
LeBard	5.8	10.2	10.2	5.8	6.54
Burke	5.0	7.7	—	5.0	6.0
Gisler	7.8	14.1			
Kettler	4.5	9.8			
HBC Total	23.1	41.8	10.2	10.8	12.54
30% of HBC Total		12.54			
<b>Ocean View School District</b>					
Pleasant View	5.3	8.60	8.6	5.3	5.3
Haven View	5.8	10.58	10.58	5.8	5.8
Park View	5.2	11.98	—	5.2	5.2
Glen View	6.6	10.40	—	6.6	
Robinwood	4.0	9.27			
Lark View	5.2	15.10			
Meadow View	7.2	13.50			
OV Total	39.3	79.43	19.18	22.9	16.3
30% of OV Total		23.83			
<b>Westminster School District</b>					
Franklin	3.0	6.8			
<b>Overall Total</b>					
Overall Total	82.9	156.73	29.38	41.2	37.44
Total of 30% Values		47.01			

*Italics indicate Closed Schools in Subareas with a surplus of open space; these sites are not eligible for Naylor Act purchases.*

*— indicates acquisition would exceed 30 percent limit.*

There are clearly more options available to the City. For instance, the City could acquire one site in one school district but only the open space in another district. Multiple scenarios for some of the school districts are also possible because it is not known which specific schools may be surplus in the future, which would

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affect the attractiveness and or importance of a particular site at a given point in time.

### Recommendation

This recommendation section is very specific relative to the Fountain Valley School District because the City is aware of which schools are surplus and can therefore make recommendations based on current data regarding surrounding open space and youth sports group usage. Determining which areas should be retained or are not needed in other school districts can only be estimated, as presented in the options in Table 5, based on available data because there are a multitude of potential scenarios.

The recommended priority Naylor Act acquisitions for the two surplus sites in the Fountain Valley School District, based on the analysis in this Surplus School Property Purchasing Plan, are listed below.

#### Surplus School Site

Lamb	-	No acquisition
Wardlow	-	Acquire 8.6 acres of open space

As additional closed school sites are surplus, this Surplus School Purchasing Plan, and recommendation section, must be updated. Only at that time will the data be certain to facilitate a City decision regarding other closed school sites. With an update, the City can develop a specific scenario that reflects current data on usage by neighborhood residents and youth sports groups, open space needs within a subarea and available park and open space area for a specific site or sites.

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## Appendix

As noted in the Approach section of this Plan, the analysis and recommendations presented are on a district basis, recognizing the 30 percent limitation set forth in state law. If the interpretation of the 30 percent requirement changes such that it applies to closed school sites citywide, irrespective of district boundaries, then the options change slightly. Table A-1 presents these options for informational purposes.

Table A-1  
Naylor Act Acquisition Options  
For Closed School Sites Citywide  
Ranked from Highest to Lowest Open Space Need

DISTRICT/ CLOSED SCHOOL	School Open Space Acres	School Total Acres	Option 1 Acquisition of Entire Site	Option 2 Acquisition of Open Space	Option 3 Acquisition of Critical Open Space
Pleasant View	5.3	8.60	8.6	5.3	5.3
Lamb	7.5	14.3	14.3	7.5	7.5
LeBard	5.8	10.2	10.2	5.8	6.5
Haven View	5.8	10.58	10.58	5.8	5.8
Wardlow	10	14.4		10.0	8.6
Burke	5.0	7.7		5.0	5.0
Park View	5.2	11.98		5.2	5.2
Glen View	6.6	10.40			
Gisler	7.8	14.1			
Kettler	4.5	9.8			
Franklin	3.0	6.8			
Robinwood	4.0	9.27			
Lark View	5.2	15.10			
Meadow View	7.2	13.50			
Overall Total	82.9	156.73	43.68	44.6	43.9
30% of Total		47.01			

*Italics indicate Closed Schools in Subareas with a surplus of open space; these sites are not eligible for Naylor Act purchases.*

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